

PROSPECTUS
IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
(IOGLB)

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
(USFS)

PAYETTE NATIONAL FOREST

**INVITATION FOR PROPOSALS FOR RECREATIONAL OUTFITTING OPPORTUNITY TO CONDUCT
OUTFITTERED/GUIDED SERVICES IN IDAHO, VALLEY & ADAMS COUNTIES**

2016



PROSPECTUS AND BUSINESS OPPORTUNITY OVERVIEW

Introduction

This prospectus is being issued to solicit applications for outfitting and guiding services consistent with the Payette National Forest Land and Resource Management Plan and the statutes and rules that govern outfitting and guiding services in the State of Idaho. This decision to authorize commercial services on the Payette National Forest is a result of the Forest-wide Snowmobile Outfitter and Guide Project *Final* Decision Notice and Finding of No Significant Impact (FONSI) signed in March of 2016 by the Payette National Forest Supervisor.

Purpose

The purpose of this solicitation is two-fold:

1. This prospectus is issued to solicit applications from anyone interested in providing outfitted and guided trips on lands administered by the United States Forest Service (USFS) within Adams, Idaho and Valley Counties in Idaho. Specifically, services will be provided in Idaho Department of Fish and Game Units 32A, 22, 23, and 19A. (See Appendix B *Maps of the Proposed Use Areas*). Under the FONSI, three areas will be provided across the Forest where licensed snowmobile opportunities may provide services to the public. The number of licenses and permits will not be determined until after all of the application packages are reviewed and will be based on the services offered by applicants in submitted packages.

The following table provides a short synopsis for each operating area and the service days authorized for each area.

TABLE 1: OFFERING SUMMARY

Area	Acres	Idaho Fish and Game Units	Service Days**	Ranger District(s)
Area One	326, 259	19A, 23, 24	1,000	New Meadows and McCall Ranger Districts
Area Two	147,610	22	400	Council Ranger District
Area Three*	118, 964	32A	500	Council and Weiser Ranger Districts

* Area 3 is an optional bid item. Applicants may only propose use for this area if they are already proposing use in Area One or Area Two.

** A "Service Day" is defined as one client on National Forest System lands per day. See Appendix A *Glossary of Terms*.

2. This prospectus is being issued in order to meet a need to provide quality experiences to the public that may not be familiar with the Payette National Forest winter backcountry or lack the ability to operate a snowmobile independently. It is expected that snowmobiling, as a guided activity, will be an extremely popular choice for those visitors wanting to experience the winter backcountry of the areas being offered.

Business entities for outfitting and guiding will be issued licenses by the IOGLB and permits by the USFS based on the *snowmobile opportunities* provided to clients by a commercial operator. Examples of these opportunities include:

- Trail riding on groomed system routes within the areas offered
- "Steep and Deep" off-trail riding in permitted off-route areas
- Overnight use of designated Payette National Forest administrative sites
- Avalanche awareness education
- Half day or full day trips
- Equipment rental drop (outfitting only)

Prospective applicants are advised to read this package and appendices in its entirety. Appendix F *Area Information and Visitor Use Information* does provide an overview of the Payette NF and visitor use information. While this document and appendices do offer some descriptive information regarding the area and the opportunity, applicants are responsible

for making their in depth investigations as to determining the economic feasibility of any proposal, gathering facts about the area, and determining estimates for any business opportunity.

Neither the IOGLB nor the USFS guarantee a profitable operation to any prospective applicant. Applicants are further advised that the IOGLB Board of Directors and the Authorized Officer will also be making determinations based on the selective factors outlined in later portions of this document.

IOGLB and USFS Collaborative Process Overview

This prospectus is a collaborative effort by the IOGLB and the USFS guided by the terms of Memorandum of Understanding (2011) between the two organizations. Under the terms of this prospectus, licenses to qualified applicants may be issued by the Idaho Outfitters and Guides Licensing Board and special use permits needed to operate on the Payette National Forest by the USFS. Furthermore, outfitter and guide businesses that are awarded licenses by the IOGLB and permits by the USFS through this prospectus must also employ Designated Agents and Guides. These individuals must then be licensed by the IOGLB Board of Directors before they can provide services on behalf of their employing entity. Proof of this licensing must also be shared with the USFS.

The term “license” and “licensing” are used interchangeably, and refer to the formal instrument to authorize commercial guiding by the State of Idaho Outfitters and Guides Licensing Board. Terms and their definitions as they relate to licensing with the State of Idaho can be found at: <https://oglb.idaho.gov/documents/manuals.html>.

In this document and appendices, the terms “special use authorization” and “special use permit” are used interchangeably, and all refer to the formal instrument used to authorize commercial outfitting and guiding on National Forest System lands. Additional terms and their definitions related to federal permitting can be found in Appendix A *Glossary of Terms*.

Information regarding laws, regulations and direction regarding the business opportunity, prospectus development, and outfitter and guide operations and management can be found on the internet at various websites. While the IOGLB and the USFS are collaborating to award successful business entities with licenses and permits, prospective applicants must recognize that each organization operates under their own separate laws, rules and policies. Applicants are advised to review the web links listed throughout this document to further their knowledge regarding these matters, as well as review attached appendices referenced in this document.

The table below provides links to laws, regulations and policies that all applicants should become familiar with regarding licensing with the IOGLB and permitting with the USFS.

TABLE 2: LAWS, REGULATIONS AND POLICIES

<i>Reference</i>	<i>Website</i>
Idaho Outfitter and Guide Licensing Board – Licensing and Other Pertinent Information (MOUs, etc.)	https://oglb.idaho.gov/
Idaho Statutes Outfitter and Guides Act <i>*Emphasis: See Rule 47; Rule 63 for Snowmobile Specific Information</i>	https://oglb.idaho.gov/pdf/statutes_and_rules/2016-Revised%20Idaho%20Statutes%2004-04-16%208x11.pdf
Forest Service Handbook FSH 2709.11 Special Uses Administration	http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5109390.pdf
Forest Service Manual FSM 2700 – Special Uses Management	http://www.fs.fed.us/cgi-bin/Directives/get_dirs/fsm?2700!..
Code of Federal Regulations Title 36: Parks, Forests and Public Property	https://www.gpo.gov/fdsys/pkg/CFR-2011-title36-vol2/pdf/CFR-2011-title36-vol2-chapII.pdf

OFFERING

Land Use Area Descriptions

The following describes the three use areas offered up for use on the Payette National Forest. The descriptions for each provide information on the maximum number of service days, facilities or administrative sites that may be used, and other provisions. (See Appendix B documents for maps of the specific use areas.)

Area One: McCall and New Meadows Ranger Districts (Idaho Fish and Game Units 19A, 23)

In Area One, up to 1,000 service days will be made available for outfitting and guiding under priority use and a temporary pool will be established for some temporary recreation event use. Not all service days will necessarily be allocated. Area One is 326,259 acres in size. The Wallace and the West Face Trailheads will be available for outfitter/guide parking and staging. Upper Elevation (also referred to as Gordon Titus) parking lot will be available only on weekdays. Other staging/parking areas, if needed, on private land and/or state land, will need to be secured, and be on the operators Idaho Outfitter and Guide License. This is independent and outside of this proposal.

No assigned sites will be permitted, if overnight services are to be offered as a part of the proposal by any applicant. Warren, and Burgdorf Guard Stations could be utilized by outfitters as overnight use areas. Use of these administrative sites will need to comply with the National Recreation Reservation System and Reservation Practices. Use of administrative sites will be reviewed, and approved, annually through the USFS Operating Plan. See Appendix B *Maps of the Proposed Use Area_Area 1 Map* for location overview.

Area Two: Council and Weiser Ranger Districts (Idaho Fish and Game Units 22)

In Area Two, 700 service days will be made available for outfitting and guiding and a pool will be established for some temporary recreation event use. Area #2 already has one established outfitter conducting snowmobile tours and they have been allocated 300 service days. Area Two is approximately 294,319 acres in size. It will offer parking and staging for the outfitters out of the Pole Face, Mill Creek, Hornet Creek and Price Valley parking lots. Other staging/parking areas, if needed, on private land and/or state land, will need to be secured, and be on the operators Idaho Outfitter and Guide License. This is independent and outside of this proposal.

No assigned sites will be permitted, if overnight services are to be offered as a part of the proposal by any applicant. The Buck Park Cabin and Bear Guard Station could be utilized for overnight operations. Use of these administrative sites by any permit holders will need to comply with the National Recreation Reservation System and Reservation Practices. Use of administrative sites will be reviewed, and approved, annually through the USFS Operating Plan. See Appendix B *Maps of the Proposed Use Area_Area 2* for location overview.

Area Three: Council Weiser Ranger District (Idaho Fish and Game Units 32A)

Area Three will be offered as an “optional” area. Outfitters could apply for this area along with Area One and/or Area Two if they want, but are not required to, but cannot apply for it as a standalone area. In Area Three, 500 service days will be made available for outfitting and guiding and a pool will be established for some temporary recreation event use. Area Three is 118,964 acres in size. Mill Creek and West Face parking lots (outside the area but accesses the area) can be used for parking and staging. Other staging/parking areas, if needed, on private land and/or state land, will need to be secured, and be on the operators Idaho Outfitter and Guide License. This is independent and outside of this proposal.

No assigned sites will be permitted, if overnight services are to be offered as a part of the proposal by any applicant. No Forest Service cabins are available for use in this area, therefore, no “on Forest” overnight use will be permitted in Area Three. Any overnight use would need to be located off Forest Service lands. See Appendix B *Maps of the Proposed Use Area_Area 3* for location overview.

Provisions for Land Use Applicable All Use Areas

While there is no predetermined limit to the numbers of outfitters and guides that will be awarded authorizations under this prospectus, there are design features and constraints that all operators will have to adhere to in order to minimize

impacts from permitted activities. Payette National Forest Plan standards and guidelines, Best Management Practices (BMPs) and project design features will apply to all those operating on the Payette National Forests. These design features are reviewed annually as part of the Operating Plan that is attached to the USFS Permit. (Please note, the USFS Operating Plan attached to a permit is a different document than the Operating Plan required by the IOGLB.) All entities issued permits will also need to adhere to current Forest Orders. Appendix C *Applicable Forest Orders* provides a copy of the current Forest Order that is applicable to Area 1. Other Forest Orders may be issued in the future that will apply to the operating areas listed in the prospectus.

Applicants should also be aware that under the 2016 Decision Notice, the only allowed machinery that may be used on the Payette National Forest for outfitting and guiding purposes in the proposed areas are snowmobiles. No modified equipment, such as snow bikes, or snow cats are permitted. Proposals from prospective applicants with this type of equipment or machinery will not be considered.

Please see Appendix E *USFS Permit and Land Use Requirements* for additional information.

IOGLB LICENSING REQUIREMENTS AND USFS PERMITTING REQUIREMENTS

As described in the Introduction of this document, the respective organizations collaborating on this prospectus have individual rules and regulations that govern their organizations and activities. The following sections outline requirements as prescribed by the IOGLB and the USFS.

IOGLB Licensing Requirements

The selected applicant will be required to obtain and maintain an IOGLB license. Once issued, state outfitter and designated agent (DA) licenses must be renewed annually with the IOGLB. Guides employed by an Idaho licensed outfitter must reapply annually for a license.

- Individuals or businesses conducting outfitted operations covered by federal permits and an IOGLB license will be required to comply with stipulations, applicable laws and regulations from Federal, State, and County governments. A state license and/or federal permit does not convey rights or privileges to use State or private land or to cross State, private, or public land where formal authorization is not first obtained.
- Outfitters are required to provide public liability insurance and carry a performance bond as required by State and Federal policy, for the respective type of operation, and may be required to provide proof of vehicle liability insurance in some cases.
- IOGLB license holders are required to submit annual activity use reports to each organization.
- An Annual Operating Plan, initiated by the OG-7 and OG-7.1, must be prepared and kept on file by the outfitter prior to issuance of the USFS permit or a State license. This Operating Plan will specifically address all outfitting and guiding services to be provided and must be acceptable to USFS and IOGLB. Please note that the Operating Plan for the IOGLB is different than the Operating Plan that is part of the permit issued by the USFS.
- Submission of a Certified Snowmobile Guide Training Form (OG-16) must be prepared and submitted to the IOGLB.
- Licensed snowmobile guides will be required to adhere to State Rules: IDPA 25 IDPA 25, Title 01, Chapter 01, and specifically Rules 047 and 063. These rules specifically identify qualities and qualifications snowmobile guides must have in order to operate as a licensed snowmobile guide. Table 1 of this document provides a URL/hyperlink to the Idaho Statutes and IDPA rules for applicants to review.
- Application information may be made part of both the State License and USFS special use permit and incorporated with modification into the applicant's operating plan(s). Selection under this prospectus does not constitute approval or finalization of any operating plan or proposal.
- The final operating plans will be subject to modification by the USFS and the applicant with final approval by the USFS and IOGLB.

- An outfitter licensed in this area will not be allowed to sell a business operating in this licensed area for the first three years following licensure, and then only after establishing documented use acceptable to the USFS and IOGLB. Special Use Permits issued by the USFS are not transferrable and are not accountable property to be used in any sale.

USFS Permit Requirements

Applicants that are approved a license by the IOGLB will need to submit additional information for review by the Authorized Officer for the McCall Ranger District before a permit is issued. This will include additional financial documentation, as well as business plans. Other information may also be requested by the USFS before final determinations are made on issuing permits. Please refer to Appendix E *USFS Permit and Land Use Requirements* for additional information.

There are inherent risks associated with avalanche during winter activities. Therefore, all operators awarded use and offer activities that include “steep and deep” tours off of the groomed route or avalanche education training must have a Level II Avalanche Process & Leadership Certificate that is issued through the American Avalanche Association. For more information on this certification, please visit: <http://www.americanavalancheassociation.org/>. Level II qualifications from the American Institute for Avalanche Research and Education or the Canadian Avalanche Association *may* be considered.

Special Use Permit(s) will be administered according to the terms and conditions outlined in any authorization that is issued to an operator, in accordance with Forest Service policy. A sample special use authorization is available in this package for applicants to review that contains clauses and stipulations common to outfitting and guiding permits on National Forest System lands. (See Appendix D *Sample Permit and Attachments*) Permit holders and their employees are expected to understand the terms and conditions under which they operate, as well as the attachments that are part of the permit

Appendices E *USFS Permit and Land Use Requirements* also provides an overview documents and other requirements necessary to operating on National Forest System lands.

HOW TO APPLY

Existing Outfitters

- If an applicant currently holds a valid State of Idaho Outfitter license, an Outfitter’s Amendment Request (OG-9) must be submitted.
- State of Idaho Land Manager’s Statement (OG-6) marked final and signed by Land Manager(USFS)
- State of Idaho Outfitter Operating Plan (OG-7) and OG 7.1 Supplemental Land
- State of Idaho Outfitter Financial Statement (OG-8)
- State of Idaho Outfitter Document Release form (OG-14)
- State of Idaho Outfitter Certified Snowmobile Guide Training Form (OG-16)
- In addition, copies of other certifications and agreements as specified in the outfitter license application, if applicable to the operation, such as: Training Credentials (if guiding) or Employment Agreements (with licensed guides you intend to hire). Applicants must also submit information addressing the selection criteria.
- Responses to the Selection Criteria.

New Outfitter Applicants

- If an applicant has never held an outfitter license and wants to be a sole proprietor outfitter, they must submit an OG-1 Outfitter's Application for a Sole Proprietor; if the applicant is a corporation, firm, partnership or other business entity, they must submit an OG-2 Outfitter's application and an OG-3 Designated Agent application
- State of Idaho Land Manager's Statement (OG-6) marked final and signed by Land Manager(USFS)
- State of Idaho Outfitter Operating Plan (OG-7) and OG 7.1 Supplemental Land
- State of Idaho Outfitter Financial Statement (OG-8)
- State of Idaho Outfitter Document Release form (OG-14)
- In addition, copies of other certifications and agreements as specified in the outfitter license application, if applicable to the operation, such as: Training Credentials (if guiding) or Employment Agreements (with licensed guides you intend to hire). Applicants must also submit information addressing the selection criteria.

Refer to IOGLB website for the User Manuals for Outfitter Amendments or New Outfitter Applications at www.oglb.idaho.gov for additional information.

Application forms may be obtained from the IOGLB web site at: www.oglb.idaho.gov. Select the Licensing Tab then Forms tab. The forms are in .pdf format, meaning they can only be printed, and then completed in hard copy. Additional pages can be attached if space provided is inadequate for your answers. If you are unable to download the forms described above, please contact the IOGLB. Forms will be mailed to you.

CONTACT INFORMATION

For questions or additional information regarding licensing and or permitting, or any part of this prospectus, please contact the IOGLB and the USFS at the numbers listed below. We will be happy to assist you in any way we can.

IOGLB	USFS – PAYETTE NATIONAL FOREST
IOGLB License Staff - Lori Thomason Office Supervisor Idaho Outfitters and Guides Licensing Board 1365 N. Orchard, Room 172, Boise, ID 83706 E-mail: at licensing@oglb.idaho.gov Phone: (208) 327-7380 Business Hours: 8:30 a.m. to 4:30 p.m., Monday - Friday	Lisa Klinger (Authorized Officer) McCall District Ranger 102 West Lake St. McCall, ID 83638 E-mail: lklinger@fs.fed.us Phone: (208) 634-0400 Business Hours: 8:30 am to 4:30 pm, Monday - Friday

SUBMITTING YOUR APPLICATION

Please send your complete original application materials (along with seven copies) and fees to the following address:

MCCALL RANGER DISTRICT
PAYETTE NATIONAL FOREST
ATTN: SUSAN JENKINS
102 WEST LAKE STREET
MCCALL, ID 83638

- Applications and all materials must be received no later than June 3, 2016 by 4:30 pm, MST. Postmarks will not be accepted.
- For applicants submitting checks for processing fees, please make payment to the Idaho Outfitters and Guides Licensing Board.

- Due to the nature of required signatures and supplemental information requested in the application packet, e-mail applications will not be accepted.
- Eight application packets (1 original plus seven copies) must be submitted. Materials *will not* be returned to applicants. Please make a copy of your application package for yourself.

PROCESSING FEES AND PAYMENT TO THE IOGLB

The following describes the process for existing outfitters and new outfitter applicants.

- The Prospectus application fee for existing outfitters is \$200. Credit card information (Visa or Mastercard only) is to be provided on the original OG-9 Outfitter's Amendment Request form. Checks are also an acceptable method of payment. *Regardless of whether or not an applicant is awarded use the fee is nonrefundable.*
- The Prospectus application fee for a new outfitter applicant is \$400. If the applicant is a business entity, there will also be a \$50 Designated Agent application fee required. Credit card information (Visa or Mastercard only) is to be provided on the original application form. Checks are also an acceptable method of payment. *Regardless of whether or not an applicant is awarded use the fee is nonrefundable.*
- Incomplete or illegible applications will NOT be processed.
- Material(s) submitted with applications will not be returned to the sender.

SELECTION AND AWARD

Summary of the selection and award process is as follows:

- Further information may be requested following the initial application. Should the review panel or the Board decide to interview the applicants they will be notified.
- The IOGLB and USFS will evaluate the applications based on information submitted by the applicants. Applicants may be required to be interviewed by the IOGLB with USFS input to jointly determine the preferred applicant. The IOGLB will issue a final license approval and the USFS will issue a Special Use Outfitter and Guide Permit.
- The goal of the application process is to select an applicant whose proposal and experience best meets the public need. The selected applicant will be, in the judgment of the IOGLB and USFS, that individual or business best qualified to operate and provide these public services based on, but not limited to, evidence submitted in the application.

EVALUATION CRITERIA

Evaluation Criteria can be found on the IOGLB web site at: <http://oglb.idaho.gov/rules> in IDAPA 25.01.01.021 and in Forest Service Manual 2712.2. *Generally*, the responses to the selection criteria below, as submitted by the applicant, is what is used to evaluate and select operators. Additional information may be requested.

IOGLB Operating Plan

The applicant must supply a detailed operating plan as indicated on the appropriate forms OG – 7 Master, OG- 7.1. Applicants are encouraged to provide as much information as possible in order for proper evaluation.

Outfitting Experience

- Does the applicant have *acceptable* previous experience? (Please provide, if available, past Performance Evaluations)
- Is the applicant presently licensed and how will the new activity/area complement existing business?

- What knowledge does the applicant have of the operating area(s)?
- How well does the applicant demonstrate the ability to provide outfitting services for the specific activity and area requested?

Equipment and Staff to Operate

- Does the applicant have the necessary equipment for a successful operation?
- Does the applicant have the necessary personnel to operate?

Recreation Opportunity

- What is the applicant's planned client to guide ratio?
- How many service days for each use area do you plan to utilize?
- What equipment will the applicant provide and what equipment will the client provide?
- How will the applicant provide for guide/client safety related to winter activities, snowmobile use and avalanche condition?
- How will potable water be provided?

Recreation Use/Client Use

Estimates of numbers of users and expected sales should be provided for at least the first 5 years of operation. This information serves as an indication of the public need being met, and helps to evaluate the proposal. Therefore, it should be provided for a specified period in such form as can be used to compare proposals. In your application please include:

- Number of users by type (touring, avalanche classes, "steep and deep", etc.)
- Number of service days by use area and type of use (day use or overnight)
- Proposed use of facilities and administrative sites

Quality of Service

- Describe your hiring and booking practices you will use to provide equal employment and client opportunities.
- What provisions can be made to accommodate disabled clients?
- Describe your base or bases of operation. Will this accommodate the needs of your clients?

Resource Protection

- How will trash be disposed of?
- How will human waste be addressed?
- How will protection of streamside soils and vegetation be addressed?

- How will protection of wildlife be carried out?

Financial Plan and Business Plan

- Does the applicant have the financial capability to sustain a business long-term?
- What is the expected return to the USFS? (This is the 3% gross revenue that the agency is required to collect for land use.)

TABLE 3: APPENDICES REFERENCE

Appendix	Title
A	Glossary of Terms
B	Maps of the Proposed Use Areas
C	Applicable Forest Orders
D	Sample Special Use Permit Trip Itinerary Form Estimated Use Form Actual Use Form Performance Evaluations for Region IV of USFS
E	USFS Permit and Land Use Requirements
F	Area Information and Visitor Use Information